

**Department of Veterans Affairs**  
**Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:**  
**Internal Complaint Activity**  
**Veterans Health Administration**

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Number of Complaints Filed in FY 1614.704(a)	1705	1847	1947	1900	2036	2041
Number of Complainants 1614.704(b)	1566	1715	1795	1794	1893	1881
Repeat Filers 1614.704(c)	118	118	123	102	123	138

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Race	1105	1288	1387	1365	740	743
Color	104	87	87	104	55	63
Religion	88	157	135	105	51	77
Reprisal	1167	1441	1551	1577	756	799
Sex	793	942	956	1014	501	534
National Origin	235	94	91	97	169	192
Equal Pay Act	0	21	6	11	6	9
Age	609	751	941	887	494	493
Disability	735	875	857	1009	539	547
Other	86	0	0	0	0	0
Non-EEO						

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29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					
Complaints by Issue	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Appointment/Hire	98	91	134	75	97	98
Assignment of Duties	133	162	123	136	113	117
Awards	42	30	19	25	12	17
Conversion to Full-time	3	1	2	1	1	1
<b>Disciplinary Action</b>	<b>376</b>	<b>293</b>	<b>322</b>	<b>295</b>	<b>292</b>	<b>363</b>
Demotion	14	10	14	8	12	20
Reprimand	64	54	47	49	47	54
Suspension	116	97	88	79	87	112
Removal	71	55	56	47	57	55
Other	111	77	117	112	89	122
Duty Hours	46	54	54	64	29	48
Evaluation Appraisal	113	107	80	126	151	158
Examination/Test	1	1	3	1	0	1
<b>Harassment</b>	<b>1446</b>	<b>1289</b>	<b>1566</b>	<b>1557</b>	<b>945</b>	<b>1035</b>
Non-Sexual	1325	1232	1475	1491	873	980
Sexual	121	57	91	66	72	55
Medical Examination	15	9	7	13	6	9
Pay (Including Overtime)	122	115	64	82	89	66
Promotion/Non-Selection	587	555	392	387	321	359
<b>Reassignment</b>	<b>101</b>	<b>69</b>	<b>67</b>	<b>83</b>	<b>74</b>	<b>74</b>
Denied						
Directed						
Reasonable Accommodation	77	98	95	109	130	134
Reinstatement	1	2	4	3	1	0
Retirement	33	17	21	24	24	21
Termination	162	159	242	215	178	149
Terms/Conditions of Employment	56	41	67	43	41	45
Time and Attendance	199	175	153	153	136	149
Training	58	45	49	51	58	62
Other	335	347	424	349	267	280

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29 CFR §1614.704(f)													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		Previous Fiscal Year Data										Num.	Ave. Days
		Num.	Ave. Davs	Num.	Ave. Davs	Num.	Ave. Davs	Num.	Ave.D avs	Num.	Ave.D avs	2012	
		2007		2008		2009		2010		2011			
All complaints pending in Investigative Stage	1614.704	401	119.2	485	116	485	116	488	117.3	489	115.4	664	124.9
All complaints pending in Final Agency Action Stage	(f) (1)	178	440.2	155	434	155	434	235	498.9	270	503.4	243	513.5
All complaints pending in which Hearing was not requested	1614.704												
	(f) (2)	388	285	501	262	501	262	230	489.4	259	473.6	234	494.1
Time in Investigation Stage		388	218.9	501	193	501	193	230	182.1	259	180.6	234	169.4
Time to issue Final Agency Action		388	66	501	69	501	69	453	120	409	*124	464	*179
All complaints pending in which a Hearing was requested	1614.704												
	(f) (3)	295	235	265	201	265	201	1177	556.7	1234	595.8	1311	625.8
Time in Investigation Stage		295	222.2	265	194	265	194	1177	183.2	1234	183.9	1311	184.3
Time to issue Final Agency Action		295	13	265	8	265	8	323	14	393	15	362	12
* This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 18 days; said delay computed from start of Final Action Stage [see Sec. 1614.702(g)] to receipt of investigative file in OEDCA. Actual processing time in OEDCA was 161 days.													

<b>29 CFR §1614.704(g)</b>	<b>29 CFR §1614.705 Comparative Data</b>					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Total Complaints Dismissed by Agency	373	345	432	367	489	368
Average days pending prior to dismissal	54.53	55.7	52.8	48.4	48.2	57.2

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2012
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Total Complaints Withdrawn by Complainants	200	175	157	162	180	193

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29 CFR §1614.704(i)	29 CFR §1614.705 Comparative Data											
Total Final Agency Actions Finding Discrimination	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	32		22	100	19	100%	28	100%	31	100%	33	100%
Without Hearing 704(h)(2)	5	16%	11	50%	5	26%	9	32%	10	32%	11	33%
With Hearing 704(h)(3)	27	84%	11	50%	14	74%	19	68%	21	68%	22	67%

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**Department of Veterans Affairs**  
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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	32		22	100%	19	100%	28	100%	31	100%	33	100%
Appointment/Hire	1	3%			1	5%	1	4%			2	6%
Assignment of Duties	2	6%	1	4%	1	5%	3	11%	2	6%	1	3%
Awards	2	6%					1	4%	1	3%	1	3%
Conversion to Full-time									1	3%		
Disciplinary Action	1	3%	2	9%								
Demotion									1	3%		
Reprimand	1	3%									2	6%
Suspension		1%	5	9%			1	4%	5	16%		
Removal											1	3%
Other									1	3%	1	3%
Duty Hours	1	3%									2	6%
Evaluation Appraisal	1	3%					1	4%	2	6%		
Examination/Test			1	4%								
Harassment	3	9%	6	27%								
Non-Sexual	3	9%	3	14%	1	5%	5	18%	3	10%	5	15%
Sexual			3	14%	2	11%	4	14%	3	10%	4	12%
Medical Examination	1	3%	1	4%	1	5%			2	6%	1	3%
Pay (Including Overtime)	2	6%					1	4%	1	3%		
Promotion/Non-Selection	9	28%	3	14%	4	21%	8	29%	5	16%	6	18%
Reassignment	2	6%	4	18%								
Denied							1	4%				
Directed	2	6%	4	18%			1	4%			2	6%
Reasonable Accommodation	6	19%	3	14%	1	5%	3	11%	8	26%	6	18%
Reinstatement							1	4%				
Retirement												
Termination	6	19%	4	18%	1	5%	7	25%	3	10%	2	6%
Terms/Conditions of Employment							1	4%				
Time and Attendance	1	3%	1	4%	1	5%	1	4%	2	6%	2	6%
Training					1	5%						
Other	5	16%	6	27%	5	26%	4	14%	4	13%	5	15%

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Findings After Hearing 704(k)(3)	27		11	50%	14		19		21	68%	22	67%
Appointment/Hire	1	100%										
Assignment of Duties	2	100%			1	100%	3	100%	1	50%	1	100%
Awards	2	100%					1	100%	1	100%	1	100%
Conversion to Full-time									1	100%		
Disciplinary Action	1	100%	1	50%								
Demotion									1	100%		
Reprimand	1	100%										
Suspension			1	50%					4	80%		
Removal											1	100%
Other												
Duty Hours	1	100%										
Evaluation Appraisal	1	100%					1	100%	2	100%	2	100%
Examination/Test												
Harassment	2	67%										
Non-Sexual	2	67%			1	100%	2	40%	2	67%	4	80%
Sexual					1	50%	0	0%	2	67%	2	50%
Medical Examination	1	100%							1	50%	1	100%
Pay (Including Overtime)	2	100%										
Promotion/Non-Selection	8	89%	3	100%	4	100%	8	100%	5	100%	5	83%
Reassignment	2	100%	2	50%								
Denied			0									
Directed	2	100%	2	50%							1	50%
Reasonable Accommodation	5	83%	1	33%			1	33%	3	38%	3	50%
Reinstatement							1	100%				
Retirement												
Termination	4	67%	2	50%	1	100%	4	57%	2	67%	1	50%
Terms/Conditions of Employment							1	100%				
Time and Attendance	1	100%	1	100%	1	100%	1	100%	2	100%		
Training					1	100%						
Other	5	100%	3	50%	4	80%	4	57%	2	50%	3	60%

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	32		22	100%	19	100%			31	100%	33	100%
Findings Without Hearing 704(k)(2)	27	84%	11	50%	5	26%			10	32%	11	33%
Appointment/Hire					1	100%					2	100%
Assignment of Duties									1	50%		
Awards												
Conversion to Full-time												
Disciplinary Action			1	50%								
Demotion												
Reprimand												
Suspension			1	50%			1	100%	1	20%		
Removal												
Other											1	100%
Duty Hours												
Evaluation Appraisal												
Examination/Test			1	100%								
Harassment	1	33%	6	100%								
Non-Sexual	1	33%	3	100%			3	60%	1	33%	1	20%
Sexual			3	100%	1	50%	4	100%	1	33%	2	50%
Medical Examination					1	100%			1	50%		
Pay (Including Overtime)									1	100%		
Promotion/Non-Selection	1	11%									1	17%
Reassignment			2	50%								
Denied			0									
Directed			2	50%			1				1	50%
Reasonable Accommodation	1	17%	2	67%	1	100%	2	67%	5	63%	3	50%
Reinstatement												
Retirement												
Termination	2	33%	2	50%			3	43%	1	33%	1	50%
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other			3	50%	1	20%	3	43%	2	50%	2	40%

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Total complaints from previous Fiscal Years 704(l)(1)	638	518	754	937	1033	1139
Total Complainants 704(l)(2)	570	468	690	837	925	1017
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	2	0	4	1	2	7
ROI issued, pending Complainant's action	3	5	7	6	5	9
Hearing	531	453	615	770	812	904
Final Agency Action	80	46	106	117	134	111
Appeal with EEOC Office of Federal Operations	NA	14	22	43	80	108

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Number Pending Completion of Investigation	401	485	445	488	490	665
Pending Investigations Over Required Time Frames	38	30	9	21	15	42